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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:)
James JOHNSON, et al.) Group Art Unit: Not yet assigned
Serial No.: 09/840,080) Examiner: Not yet assigned
Filed: August 24, 2000)

For: REMOTE VEHICLE EMISSIONS SENSING DEVICE WITH SINGLE

DETECTOR

ATTN: Box DAC

Assistant Commissioner for Patents Washington, D.C. 20231

PETITION UNDER 37 C.F.R. § 1.47(b) TO COMPLETE FILING REQUIREMENTS WHEN AN INVENTOR REFUSES TO SIGN OR CANNOT BE REACHED

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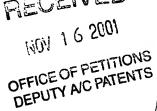
This Petition Under 37 C.F.R. §1.47(b) To Complete Filing Requirements When An Inventor Refuses To Sign Or Cannot Be Reached is being filed in response to the Notice to File Missing Parts, mailed May 10, 2001. The following items are enclosed.

- 1. A petition fee of \$130;
- 2. Surcharge fee of \$130;
- A Joint Declaration For Patent Application signed by Christopher Cuneo
 (Registration Number 42,450) and including the last known addresses of the inventors;
- 4. A Statement Of Facts In Support Of Filing On Behalf Of The Non-Signing Inventors including the affidavit of Mr. Niranjan Vescio indicating that the filing is necessary to preserve the rights of the parties;

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PETITION U. ER 37 C.F.R. §1.47(b) U.S. Application Serial No. 09/840,080 Attorney Docket No. 23439-030-402 (Formerly 47382.000123)

5. A Statement Establishing The Proprietary Interest of Envirotest Systems
Corporation including the employee agreements signed by each inventor and indicating the inventor's obligation to assign the invention to Envirotest
Systems Corporation.

PETITION

The named inventors in this application, JAMES H. JOHNSON and JOHN DIDOMENICO, have refused to execute the Oath or Declaration necessary to complete the filing. Therefore, **Envirotest Systems Corporation (ESC)**, the rightful owner of the entire right title and interest of the present application have filed this Petition in accordance with 37 C.F.R. § 1.47 and MPEP §§ 409.01-409.03(j).

Respectfully submitted,

Mintz Levin Cohn Ferris Glovsky and Popeo, PC

Dated: November 13, 2001

Christopher J. Cuneo Registration No. 42,450

By:

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